

AMENDMENT TO THE DRAWINGS

Please find enclosed replacement sheets for Figs. 10 and 12 for the approval of the Examiner.

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated April 19, 2006. A Petition for Extension of Time (one month) and the fee therefor are submitted herewith.

Replacement sheets for Figs. 10 and 12 are enclosed herewith for the approval of the Examiner. Fig. 10 has been amended to change reference number "a21" to reference numeral "c21" and to complete the bottommost horizontal dotted line. Fig. 12 has been amended to correct the last word in the third line of text in both the box labeled "S27" and the box labeled "S29" from "QUQLITY" to "QUALITY." Fig. 12 has also been amended to correct the number in the last line of text in the box labeled "S27" from "0.0" to "0.05."

Claims 1, 6, and 10 were objected to for certain informalities. Reconsideration of the objection is respectfully requested. Claims 1, 6, and 10 have been amended to overcome the objection.

Claims 1, 5, 6, 9, 10, and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by Wallentin et al., U.S. Patent No. 6,154,450. Reconsideration of the rejection is respectfully requested.

Independent claim 1 has been amended to provide, in part, for, "[a] mobile communication system ... wherein said radio base station controller comprises control means for controlling a communication quality between said radio base station and said mobile terminal on the basis of information regarding the amount of interference from said radio base station, the information being based on a comparison result between a value of a radio quality and at least three preset thresholds."

Independent claim 6 has been amended to provide, in part, for, "[a] radio base station controller ... wherein said radio base station controller comprises control means for controlling a communication quality between said radio base station and said mobile terminal on the basis of information regarding the amount of interference from said radio base station, the information being based on a comparison result between a value of a radio quality and at least three preset thresholds."

Independent claim 10 has been amended to provide, in part, for, “[a] transmitting and receiving power control method ... said method comprising, ... a step of controlling a communication quality between said radio base station and said mobile terminal on the basis of information regarding the amount of interference from said radio base station, the information being based on a comparison result between a value of a radio quality and at least three preset thresholds.”

Antecedent basis for the amendments to independent claims 1, 6, and 10 is found in the specification, for example, from page 9, line 17, to page 11, line 27.

Wallentin et al. nowhere discloses, teaches, or suggests the use of a comparison result between a value of a radio quality and three preset thresholds. In fact, Wallentin et al. discloses the comparison of a signal to interference/noise ratio to a target signal to interference/noise ratio, the target signal to interference/noise ratio being periodically updated, (column 5, lines 28-30; lines 52-55).

Since each of claims 5, 9, and 14 is directly dependent upon one of independent claims 1, 6, and 10, each of claims 5, 9, and 14 is allowable over Wallentin et al. for the same reasons recited above with respect to the allowability of independent claims 1, 6, and 9 over Wallentin et al.

Claims 1-3, 5-7, 9-11, 12, and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by Ariyavisitakul et al., U.S. Patent No. 5,333,175. Reconsideration of the rejection is respectfully requested.

Ariyavisitakul et al. does not disclose, teach, or suggest the use of a comparison result between a value of a radio quality and three preset thresholds, as claimed in independent claims 1, 6, and 10. An RSSI in Ariyavisitakul et al. is compared to a preset minimum threshold and QM is compared to a preset minimum threshold, (column 9, lines 52-54). The RSSI is also compared to a preset maximum desired level, (column 9, lines 65-66). However, the RSSI threshold can be adaptively adjusted, and therefore does not remain preset, (column 9, line 68 to column 10, line 22).

Since each of claims 2-3, 5, 7, 9, 11, 12, and 14 is directly dependent upon one of independent claims 1, 6, and 10, each of claims 2-3, 5, 7, 9, 11, 12, and 14 is allowable over

Ariyavisitakul et al. for the same reasons recited above with respect to the allowability of independent claims 1, 6, and 10 over Ariyavisitakul et al.

Claims 4, 8, and 13 were objected to as being dependent upon a rejected base claim, but were stated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Reconsideration of the objection is respectfully requested.

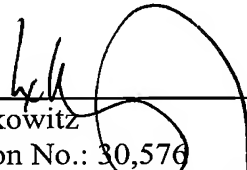
Claims 4, 8, and 13 have been rewritten in independent form including all of the limitations of the base and any intervening claims, and, therefore, should be allowable.

In view of the foregoing amendments and remarks, allowance of claims 1-14 is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM
ON AUGUST 23, 2006



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